

DOCKET NO.: HENK-0154 (H5344)
Application No.: 10/755,702
Office Action Dated: September 25, 2006

**PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116**

REMARKS

Claims 1, 2, 4-18, 21, 24, and 28-33 are pending. Claims 1, 21 and 24 are amended. The basis for the amendment to claim 1 can be found, for example, at page 12, lines 12-14. Claim 21 is amended stylistically. The basis for the amendment to claim 24 can be found, for example, at page 10, lines 8-22. New claims 28-33 are added. The basis for these claims can be found, for example, at page 6, lines 18-30, page 7, lines 9-11, page 10, lines 16-22, and page 14 lines 6-12. Claims 3, 19, 20, and 23 are canceled.

Applicants respectfully request entry and consideration of the amendment, which is believed to place the application in condition for allowance or, alternatively, in better condition for appeal.

Rejection under 35 U.S.C. § 112

Claims 19, 20, 23, and 24 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. The rejection is rendered moot as applied to claims 19, 20, and 23, due to the cancellation of these claims. In regard to claim 24, the rejection is believed to be moot in view of the amendment.

Rejection under 35 U.S.C. § 102

Claims 1-21 and 23-24 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by WO 00/05290 ("the Bolte application"). While not necessarily agreeing with the rejection, Applicants have amended the transition phrase of claim 1 to read "consisting of". Component A of the Bolte application requires a two step reaction to achieve a low monomeric isocyanate product. The second stage of the process taught by the Bolte application utilizes a different difunctional diisocyanate than is used in the first stage. *See*, for example, page 8, line 26 to page 9, line 30 of the Bolte application.

One skilled in the art would not expect to be able to obtain a reactive polyurethane with a free monomeric isocyanate content of not more than 0.3% in a one stage process after reading the Bolte application. Indeed, the Bolte application does not teach or suggest that such a result might be possible and a worker skilled in the art would be led by the reference

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to believe that a two stage approach is necessary in order to lower the free isocyanate content of the product.

Furthermore, claims 13 and 32-33 are directed to a method of synthesis of reactive polyurethanes having a NCO content of 4 to 12% NCO. The Bolte application is directed to a different process, producing NCO contents significantly higher. For example, Table 1 on page 31 of the Bolte application teaches NCO contents of 13.1 to 14.3%.

For at least these reasons, the Bolte application does not anticipate the instant claims, as amended.

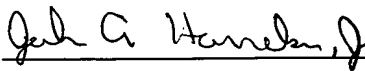
Rejection under 35 U.S.C. § 103

Claims 1-21 and 23-24 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious in view of the Bolte application in view of U.S. Patent No. 5,721,311 ("the Oien application"). The defects in the teachings of the Bolte application discussed above also apply to the obviousness rejection. The Oien patent does not cure these defects. Thus, even if one were to combine the cited art, no instant invention would be produced. For at least these reasons, the claims are not obvious by the cited art.

If the Examiner wishes to discuss the claims, the Examiner is encouraged to call the undersigned.

Respectfully submitted,

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